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been conferred upon this voluntary association by the public which justifies an interference by the public with its method of conducting business. The doctrine of *Munn v. Illinois*, 94 U. S. 113, does not apply. That case decided that the legislature could regulate the rate of charge for services rendered in a public employment, or for use of property in which the public had an interest. In the present case no property of the Stock Exchange had been devoted to public use, and the public had no legal interest in that property.

TOWN OFFICERS—AUTHORITY TO WAIVE STATUTE OF LIMITATIONS—*MCGARY v. CITY OF N. Y.*, 61 N. Y. Sup. 689.—A town board has no authority to revive a claim against the town after it has been barred by the Statute of Limitations. The town board is in a sense a trustee, and as such is bound to protect the inhabitants of the town against outlawed or other uncollectible demands. They are in the same position as executors, who cannot waive the Statute of Limitations after it has once attached. *Butler v. Johnson*, 111 N. Y. 204; *Schutz v. Morette*, 146 N. Y. 137.

WRIT OF RESTITUTION—EXPIRATION OF LEASE—*STATE EX REL. v. ORTH & BENSON*, JUDGE, 59 Pac. 501 (Wash.).—At the time of entry of judgment directing issuance of a writ of restitution, defendant's lease had expired. Held, that under contract pleaded by defendant that he was no longer entitled to possession is not ground for refusing to fix the supersedeas bond staying issuance of writ, as 2 Ballingers Ann. St., § 5546, authorizes either party aggrieved by such a judgment to appeal, as in other civil actions. Fullerton, J., and Dunbar, J., dissenting.

Substantially the contention made by the respondent is that no real contention arises upon the appeal, that, the lease having expired, the subject-matter of the contest has ceased to exist. This position is held by the dissenting judges, who rely, as the respondent, upon *Hice v. Orr*, 16 Wash. 163. The court, however, held that a mandamus should issue, as it could not inspect the record of the trial to determine the merits of the case, and that as the pleadings disclosed a controversy, the appeal should be allowed as provided by statute.